SINGLE BENCH

C.S. 2800/-

1.

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR
[CHHATTISGARH]

WRIT PETITION No.: - 3295 / 2006. **S.B.**

PETITIONERS: -

01. **Narayan s/o Shobharam,**
Age- 49 Yrs.
R/O –Khairabhata-Mahasamund,

02. **Dev Prasad s/o Pusau,**
Age-48 Yrs. R/O –Club-para,
Mahasamund,

03. **Naththu s/o Dular.**
Age- 53 Yrs. R/O –Village:- Tumgaon,

04. **Chandan s/o Rajau,**
Age-51 Yrs. R/O –Village:- Chingrawd,

05. **Lakhun s/o Premsingh.**
Age-48 Yrs. R/O –Village:- Shirpur,

06. **Neturam s/o Ghasiram.**
Age- 51 Yrs. R/O –Village:- Chingrawd,

07. **Khaditram s/o Potiram.**
Age- 47 Yrs. R/O –Village:- Khatti,

08. **Smt. Shanti Bai D/o Ganshayam,**
Age- 56 Yrs.
R/O –Shankar Nagar, Mahasamund,

09. **Chintaram s/o Pusuram,**
Age- 54 Yrs. R/O –Village:- Joba,
Tumgaon-Mahasamund,

10. **Jainsingh s/o Ganhshyam.**
Age- 54 Yrs. R/O –Village:- Shirpur,

11. **Madansingh s/o Parasram.**
Age- 54 Yrs.
R/O –Village: -Jalki Tumgaon,

12. **Shivgovind s/o Parasram.**
Age- 47 Yrs. R/O –Village:- Shirpur,

13. **Suresh s/o Manihar.**
Age- 48 Yrs. R/O –Village: -Shirpur,

14. **Maniram s/o Danaji.**
Age- 48 Yrs. R/O –Village:- Shirpur,

15. **Indal s/o Manohardas.**
Age- 55 Yrs. R/O –Village:- Khatti,

P.R. No. 3115/06
Presented by Shri S.A. Lohani
dated 27/6/06

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(10)

16. **Mohan s/o Ramlal.**
Age- 51 Yrs. R/O –Village:- Chingrawd,

17. **Kholu s/o Derrha.**
Age- 50 Yrs.
R/O –Village:- Labhra-Khatti,
Mahasamund.

18. **Shyamlal s/o Vishal.**
Age- 49 Yrs. R/O –Village:-Chigrawd,

19. **Devanand s/o Parsuram.**
Age- 48 Yrs. R/O –Village:- Tumgaon,

20. **Fhirtu s/o Narad.**
Age- 48 Yrs.
R/O –Village:-Shirpur- Baldakachar,

21. **Manshram s/o Jethuram**
Age- 52 Yrs. R/O –Village:-Birkoni,

22. **Puran s/o Kamtaprasad**
Age- 55 Yrs. R/O –Village:- Birkoni,

23. **Kanhaiyalal s/o Kheduram**
Age- 55 Yrs. R/O –Village:- Birkoni,

24. **Heera Singh s/o Samaru,**
Age- 55 Yrs. R/O –Village:- Shirpur,

25. **Itwari s/o Sonuram.**
Age- 54 Yrs. R/O –Village:- Chingrawd,

26. **Chunuram s/o Jagat.**
Age- 55 Yrs. R/O –Village:- Joba-Achola,

27. **Jeewan s/o Prabhu.**
Age- 50 Yrs. R/O –Village:- Tumgaon,

28. **Bhaiyaram s/o Mangalram Nirmalkar,**
Age- 52 Yrs. R/O –Village:- Kharora,

All working in the Post: -

Permanent Gang Man, Labour (Mazdoor) Kushal/ Ardhakusahl/Akushal/ -Shramik),

In the Office: - P.W.D. Sub-division Mahasamund Section No.1,

Tehsil & Distt. Mahasamund (C.G.)

3.
(11)

-: V E R S U S: -

RESPONDENTS: -

1. **The State of Chhattisgarh**
Through The Secretary,
Public Work Department,
D.K.S. Mantralaya Bhavan,
RAIPUR, Distt. RAIPUR(C.G.)

2. **The Executive Engineer,**
Public Work Department
At Mahasamund,
Distt.:- Mahasamund, (C.G.)

3. **The Sub-Divisional Officer,**
Public Work Department
Sub-Division Office-At Mahasamund,
Distt.:- Mahasamund, (C.G.)

WRIT PETITION UNDER ARTICLE 226 /227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF DIRECTION (S) OR ORDER (S).

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

50

मामला क्रमांक W.P. No. 3295/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

7.7.2006

Shri J.A. Lohani, Advocate for the petitioners.

Miss Deepali Pandey, Panel Advocate for the respondent/State on advance copy.

Heard.

The main grievance raised in this petition by the petitioners, who are working as Gangmen in Public Works Department, Mahasamund, is that they are entitled for regularization of their services as per Rule 7 of C.G. Gangmen Service Rules, 1996, but the respondents are not considering the cases of petitioners as per Rules 5 & 7 of the Rules of 1996.

The case of the petitioners is that they are working as Gangmen i.e. labour, (Mazdoor) Kushal/Ardhakushal/Akushal/Shramik in the office of Public Works Department, Sub Division, Mahasamund and they are working since 1974-75 on the same post. The Chief Engineer, P.W.D., Raipur issued memo dated 7.4.2006, 20.4.2006 and 6.6.2002 to all the Sub Divisional Officers & Executive Engineers for preparation of list and supplying the necessary information of such gangmen, who have completed 25 years of service, as per format, for the purpose of regularization of their services. The S.D.O. submitted the list vide memo dated 20.4.2006 and prior to that in the year 2002, but the

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(51)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक व आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

respondents are not considering the cases of the petitioners for regularization of their services in accordance with the Rules of 1996.

Learned counsel for the petitioners submitted that the prayer of the petitioners is limited to the extent that respondent No.1 be directed to consider the list dated 25.4.2006 sent by the SDO and pass appropriate orders as per Rules of 1996, to which learned Panel Lawyer for the State has no objection.

Accordingly, respondent No.1 is directed to get the cases of the petitioners examined in the light of Rules of 1996 and if their cases are covered under the Rules of 1996, then pass appropriate orders in accordance with law within a period of three months from the date of receipt of this order.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.2524/06 also stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

Roshan/-